IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

MISCELLANEOUS PETITION NO.9 OF 2006

Bhargavi Asit Dalal ..Petitioner

Versus

Paarth ..Respondent

Mr.Rajiv Narula i/by M/s.Jhangiani Narula & ASS for the petitioner.

Coram : R.S.Mohite,J

Date : 4.12.2006.

PC

1. Heard Advocate for the petitioner. The petitioner is a natural mother of the respondent-Paarth who is still a minor. The minor has 50% share in a flat situated in Pune. The prayer is for appointment of guardian and disposal of the said flat with further direction as regards the investment of the minor's share in the sale proceeds. From the decree which is now annexed it is clear that the parents of Paarth have now divorced. The flat in question was standing in the joint name of his parents and father has agreed to delete his name in favour of the minor as part and parcel of settlement. It appears that there is a requirement of the maintenance of the child. The flat is agreed to be sold to Mr.Ketan Sanjay Ruikar for Rs.14,21,000/-. As per the ready recknor the valuation of the flat is Rs.14 lakhs and as per the

valuation of the Government approved Valuer, it is Rs.13,95,000/-.

2. In the circumstances, petition is allowed in terms of prayer clauses-(a), (b) and (c) subject to the further direction that the flat will be sold to Mr.Ketan Sanjay Ruikar and that of the sale proceeds payable to the petitioner, 50% of the amount being Rs.7,10,500/- will be deposited with the Accounts officer of this Court. On receiving the amount, Accounts officer will invest the amount in a FD with a nationalised bank initially for a period of 3 years. There will be liberty to take out a fresh petition for claiming any amount towards the expenses of the child if necessary. Petition stands disposed off.

(R.S.Mohite,J)